

Appl. No. 10/774,325
Reply to Office Action of August 9, 2007

REMARKS

First of all, applicant wish to express their gratitude to the Examiner for the courtesies extended to the undersigned attorney during an Examiner's interview conducted on September 4, 2007. The Examiner's summary of that interview, as disclosed in paper no. 20070904, is accurate. During the telephonic interview the undersigned attorney requested a clarification with regards to the rejection of claim 13. In particular, applicants noted that the sole rejection of that claim appeared to relate to a new matter rejection based on the use of the term "about". However, claim 13 had been amended in a response submitted on June 26, 2007 to remove the objected terminology. In light of the previously submitted amendment, the Examiner agreed that the rejection of claim 13 in the final Office Action dated August 9, 2007 was erroneous. The Examiner also confirmed that the sole rejection of claims 1-13 was based on 35 USC 112, first paragraph, and that no art based rejections remain for those claims.

Applicants have submitted amendments to the claims that are believed to place the application in condition for allowance. Claims 1 and 9 have been amended to delete the objected term "about" from the claims, and claim 9 is further amended, in accordance with the Examiner's suggestion to replace the word "consists" with "consist". Claims 15-20 have been canceled. Applicants acknowledge that these amendments are being made after final rejection and that entry of amendments after final are made at the Examiner's discretion. The amendments to the claims are believed to be responsive to the Examiner's most recent rejections, and applicants believe the amendments put the claims in condition for allowance.

Claims 9, 15 and 18 are objected to for various informalities. Claims 15 and 18 have been cancelled rendering the rejection of those claims moot. Claim 9 has been amended in accordance with the Examiner's suggestion and is believed to fully address the Examiner's objection. Withdrawal of the objection to claim 9 is respectfully requested.

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Claims 1-3, 5, 9, 11-13 and 15-20 stand rejected under 35 USC 112, first paragraph as failing to comply with the written description. Applicants respectfully traverse this rejection. However, to advance the prosecution of this matter, applicants have canceled claims 15-20 rendering the rejection to those claims moot. Furthermore, with regards to the rejection of claims 1-3, 5, 9, 11-13, to advance the prosecution of this matter, applicants have deleted the objected terminology "about" from both claims 1 and 9. The claim amendments are believed to obviate the Examiner's objection for lack of written description.

Furthermore, as noted in the Examiner's interview conducted on September 4, 2007, claim 13 had been previously amended to remove the term "about" from the claim. Accordingly, applicants respectfully submit the rejection of claim 13, as stated on page 7 of the final Office Action is believed to be erroneous.

Applicants respectfully submit amended claims 1 and 9 (and previously amended claims 13) fully comply with the written description requirement of 35 USC 112, first paragraph. Accordingly, applicants respectfully request the withdrawal of the rejection of claims 1-3, 5, 9, 11-13 for failure to comply with the written description requirement.

Claim 15 stands rejected under 35 USC 102 as being anticipated by Kakabakos et al in light of Song et al. Applicants respectfully traverse. However, to advance the prosecution of the present application, claim 15 has been canceled, rendering the rejection moot. This amendment is made without prejudice to applicants' right to pursue to the claimed subject matter in a subsequent continuation application.

Claims 16-17 and 20 stand rejected under 35 USC 103 as being unpatentable over Kakabakos et al (in light of Song et al) in view of Amiral et al. Applicants respectfully traverse. However, to advance the prosecution of the present application, claims 16-17 and 20 have been canceled, rendering the rejection moot. This amendment is made without

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prejudice to applicants' right to pursue to the claimed subject matter in a subsequent continuation application.

Claim 18 stands rejected under 35 USC 103 as being unpatentable over Kakabakos et al (in light of Song et al) in view of Amiral et al and further in view of Bangs and Gudiband et al. Applicants respectfully traverse. However, to advance the prosecution of the present application, claim 18 has been canceled, rendering the rejection moot. This amendment is made without prejudice to applicants' right to pursue to the claimed subject matter in a subsequent continuation application.

Claims 15-17 and 20 stand rejected under 35 USC 103 as being unpatentable over Kakabakos et al (in light of Song et al) in view of Vaynberg, Amiral et al and Lou et al. Applicants respectfully traverse. However, to advance the prosecution of the present application, claims 15-17 and 20 have been canceled, rendering the rejection moot. This amendment is made without prejudice to applicants' right to pursue to the claimed subject matter in a subsequent continuation application.

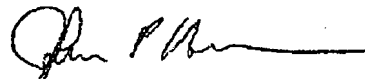
Claim 18 stands rejected under 35 USC 103 as being unpatentable over Kakabakos et al (in light of Song et al) in view of Vaynberg, Amiral et al and Lou et al. and further in view of Bangs and Gudiband et al. Applicants respectfully traverse. However, to advance the prosecution of the present application, claim 18 has been canceled, rendering the rejection moot. This amendment is made without prejudice to applicants' right to pursue to the claimed subject matter in a subsequent continuation application.

Claims 15-20 stand rejected under 35 USC 103 as being unpatentable over Schmid in view of Vaynberg, Amiral et al and Lou et al. Applicants respectfully traverse. However, to advance the prosecution of the present application, claims 15-20 have been canceled, rendering the rejection moot. This amendment is made without prejudice to applicants' right to pursue to the claimed subject matter in a subsequent continuation application.

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The foregoing claim amendments and remarks are believed to fully respond to the Examiner's rejections and the claims are believed to be in condition for allowance. Applicants respectfully request allowance of the claims, and passage of the application to issuance. If any further discussion of this matter would speed prosecution of this application, the Examiner is invited to call the undersigned at (434) 220-2866.

Respectfully submitted,



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